

FORM A**IN THE COURT OF ASSISTANT SESSIONS JUDGE, MELUR****Present: Tmt. M. SAMUNDEESWARI PRABHA, M.A., M.L.,****Friday, the 8th day of August 2025****SESSIONS CASE NO : 513/2023****P.R.C.No.8/2020****(CNR No.TNMD010091532023)****(Othakadai Police Station, Crime No:336/2014)**

Complainant/PROSECUTION	State of Tamilnadu, Represented by Inspector of Police, Othakadai, Madurai.
Represented By	Advocate.Mr.K.Sabhapathy Additional Public Prosecutor.
Accused	Manikandan, S/o.Theivakani, Aged about 35/2014 years, Murugaswamy Compound, Sudhanthira Nagar 2 nd Street, Othakadai, Madurai District.
Accused Represented By	Advocate Mr.J.Velayutham

FORM B

Date of Offence	03.08.2014
Date of F.I.R	04.08.2014
Date of charge sheet	16.08.2015
Date of Commencement of Evidence	04.12.2024
Date of which Judgment is reserved	04.08.2025
Date of the sentencing order if any	Nil

Accused Details

Rank of Acc-used	Name of Accused	Date of Arrest	Date of Release on Bail	Offences charged with	Whether Acquitted or convicted	Sentence imposed	Period of Detention undergone during Trial for purpose of section 428.Crpc
	Manikandan, S/o.Theivakani	23.12.2014 (Surrender)	23.12.2014	U/S 307 IPC	Acquitted	Nil	Nil

This sessions case coming up on 04.08.2025 for final hearing before this court in the presence of Advocate Mr.K.Sabapathy, Additional Public Prosecutor for the state and Advocate Mr.J.Velayutham, Advocate for the accused person and upon hearing the arguments on both sides and upon perusing the records and having stood over till this day for consideration, this court delivered the following...

JUDGMENT**1. The brief case of the prosecution as follows:-**

The defacto complainant is Mrs.Pandeeswari, W/o.Manikandan deposed as PW1. The defacto Complainant Mrs.Pandeeswari stated that she is residing in Murugaswamy Compound, Sudhanthira Nagar 2nd

Street, Othakadai, Madurai District. The defacto complainant Mrs.Pandeeswari, is the wife of the accused. The accused in this case, with the intention of murdering his wife, on 03.08.2014 at 5.00 A.M, while the defecto complainant was sleeping in her house, the accused slashed Mrs.Pandeeswari (Complainant) neck with a blade. F.I.R was registered on 03.08.2014 as against the accused Manikandan, S/o.Theivamani Under Sections 307 IPC.

2. After hearing both sides and based on the materials supplied by the prosecution, this court framed the following charges against the accused as follows:-

S.No.	Charges Framed Against	Charges framed under
1.	Manikandan, S/o.Theivamani	U/S. 307 IPC

The accused was read with the above said charges and explained about the charges and the accused denied the charges and pleaded not guilty and claimed to be tried. Hence this court ordered for trial.

3. In order to prove the offences, the Prosecution side examined PW1 to PW7 witnesses and marked Ex.P1 to P6 documents. There is no oral or documentary evidence adduced on the defence side.

4. Brief Evidences of the Prosecution Witnesses as follows:-

PW1 Mrs.Pandeeswari who is the wife of the accused turned hostile and she did not speak about any incident. She admitted her signature in the complaint and it has been marked as Ex.P1.

PW2 Mrs.Muthulakshmi who is the mother of the accused stated that her daughter in law Mrs.Pandeeswari gave complaint but she did not know anything. PW2 also turned hostile.

PW3 Mrs.Priya stated that she did not known about the accused at all and she did not know about the incident and turned hostile.

PW4 Mrs.Kalaiarasi also turned hostile.

PW5 Mrs.Shenbagavalli also turned hostile.

PW6 Mr.Arulraj who is the special Sub inspector of Police who registered the FIR marked as Ex.P3 and complaint given by the Mrs.Pandeeswari marked as Ex.P2. PW6 deposed that while he was in duty as special sub inspector of Police at Othakadai Police Station on

04.08.2014, at about 6.00PM he received the information from Madurai Government Rajaji Hospital from Ward No.223 and he went there and recorded the complaint statement from Mrs.Pandeeswari (PW1) and registered the FIR in Crime No.336/2014 as against the accused Manikandan who is none other than the husband of the defacto complainant at about 6.30 PM. PW6 Mr.Arulraj also stated that the incident allegedly took place about 5.00 AM in the morning on 03.08.2014 whereas he received information on the next day that is on 04.08.2014 at about 6.00 PM. The reasons for the delay was not explained and what kind of family quarrel was not mentioned in the FIR.

PW7 the investigation officer Mr.Ahmed Abdul Kadar deposed that on 04.08.2014 while he was serving as Inspector of Police, Othakadai Police Station and he took the case in Crime No.336/2014 attempt to murder Under Section 307 IPC for investigation and on the same day at about 7.00 PM he went to the spot and he prepared the rough sketch and observation mahazer which has been marked as Ex.P4 and P5 and then he examined the witnesses and recorded their statements. The Accident Register was marked as Ex.P6. He also deposed that the accused went on

Anticipatory Bail and so he did not arrest the accused. PW7 deposed that the name of the accused person was not mentioned in Ex.P6 accident register and also he did not recover the blade from the crime scene.

5. After completing the prosecution side evidences, this court examined the accused persons on the above incriminating materials and evidences Under Section 313 (1)(b) Crpc and the accused persons denied it as false and stated it is a foisted case. The statement of accused has been recorded.

6. The point for consideration:-

Whether the prosecution has proved the charges against the accused person Under Section :- 307 IPC beyond reasonable doubts?

7. Answer to the point:-

Both sides made their oral arguments.

8.1 Arguments made on Prosecution Side:-

The prosecution has proved the case based upon the complaint given by the defacto complainant marked as Ex.P2 and the signature has been admitted by Mrs.Pandeeswari marked as Ex.P1. On the basis of the intimation given to the police on 04.08.2014, the FIR was registered which

has been marked as Ex.P3. The accused who is none other than the husband of the defacto complainant. The defacto complainant deposed as PW1 has injured by cutting near the throat two times which resulted in the greivous injury. The FIR was registered on the same day, enquiry was conducted by him. Hence the prosecution has proved the case by way of the above documentary evidences and upon the medical report, accident register marked as Ex.P7. Hence the accused may be convicted.

8.2 Arguments made on the defence side:-

The learned counsel for the accused argued that the prosecution side witnesses except the PW6 and PW7 other witnesses turned hostile. Ex.P7 Accident register did not mention about the name of the accused who involve in the offence. It is mentioned as assault by one person by blade. Hence the prosecution has failed to prove the case beyond reasonable doubts.

9. DISCUSSIONS:-

From the above material records and evidences, this court finds that the defacto complainant deposed as PW1 admitted the signature in Ex.P2 complaint but denied the incident. She did not depose about any offence or

against the accused. No prosecution witnesses speak about the incident and all turned hostile except PW6 and PW7. PW6 Mr.Arulraj Special Sub Inspector of Police deposed that the incident took place on 03.08.2014 but they received information on 04.08.2014. The reason for the delay in giving the information has not been explained in the FIR. The details of the reasons for the quarrel was not been mentioned either in the Ex.P2 complaint or Ex.P3 FIR. The Accident Register marked as Ex.P7 shows that the offender is known person who assaulted the defacto complainant with a blade. The name of the accused person was not mentioned in the Accident Register Ex.P7. The blade was not recovered from the scene of occurrence. Hence the prosecution has failed to prove the case beyond the reasonable doubts and so the benefit of the doubt to be given infavour of the accused.

Hence in this case, the charge Under Section 307 IPC as against the accused has not been proved beyond the reasonable doubts. The prosecution failed to prove and so the benefit of the doubt goes to the accused person.

10. RESULT:-

In the result, the accused is found not guilty of the offence Under Section 307 IPC and he is acquitted from the above said charge Under Section 235 (1) Crpc. No property has been marked and so there is no seperate order for the property.

Assistant Sessions Judge

Melur

FORM C**LIST OF PROSECUTION/DEFENCE/COURT WITNESSES****A. Prosecution:**

LIST OF WITNESS	RANK	NAME	NATURE OF EVIDENCE
LW1	PW1	Mrs.Pandeeswari	Complainant
LW2	PW2	Mrs.Muthulakshmi	Eye Witness (mother of accused)
LW3	PW3	Mrs.Priya	Eye Witness
LW4	PW4	Mrs.Kalaiarasi	Eye Witness
LW5	PW5	Mrs.Shenbagavalli	Eye Witness
LW6	-	Mr.Shankar	Observation Mahazer and

			Rough Sketch witness
LW7	-	Mr.Senthil	Observation Mahazer and Rough Sketch witness
LW8	-	Dr.Jeyaraj	Duty Doctor
LW9	PW6	Mr.Aruldas	Confession recorded
LW10	PW7	Mr.Ahmed Abdul Kadar	Investigating Officer

LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS:-

Sl.No.	Exhibit Number	Description
1.	Ex.P1/PW1	Signature of the Complainant (Complaint)
2.	Ex.P2/PW6	Complaint
3.	Ex.P3/PW6	F.I.R
4.	Ex.P4/PW7	Rough Sketch
5.	Ex.P5/PW7	Observation Mahazer
6.	Ex.P6/PW7	Accident Register

B.Defence Exhibits :- Nil

C.Court Exhibits :- Nil

D. Material Object :- Nil

**Assistant Sessions Judge
Melur**